

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

AR

MAY 01 2003

Michael N. Milby, Clerk

MARK NEWBY,

Plaintiff,

VS.

ENRON CORP., et al.,

Defendants.

CIVIL ACTION NO.H-01-3624
(Consolidated)

**AGREED MOTION TO DEFER ANSWER
FOR DEFENDANTS LAY, SKILLING, PAI, HARRISON, BUY,
CAUSEY, HANNON, McMAHON AND RICE AND TO EXTEND TIME
TO FILE CONSOLIDATED AMENDED COMPLAINT**

On April 24, 2003, the Court entered its Memorandum and Order re Remaining Enron Insider Defendants (#1347), in which, *inter alia*, it denied the Motions to Dismiss filed by Defendants Kenneth Lay, Jeffrey K. Skilling, Lou L. Pai, Ken L. Harrison, Richard B. Buy, Richard A. Causey, Kevin P. Hannon, Jeffrey McMahon, and Kenneth D. Rice. As a consequence, under applicable rules, these defendants must answer or otherwise respond to the Consolidated Complaint by May 8, 2003.

In several of its Orders, the Court directed that the Lead Plaintiff amend or supplement the Consolidated Complaint, and in the Memorandum and Order re Remaining Enron Insider Defendants (#1347) the Court directed that such supplemental or amended complaint be filed within twenty days, or by May 14, 2003. On April 25, 2003, Lead Plaintiff filed a Motion for Leave to File its Consolidated Amended Complaint on June 16, 2003. Defendants Lay, Skilling, Pai, Harrison, Buy, Causey, Hannon, McMahon, and Rice do not oppose that Motion.

In lieu of these defendants answering or otherwise responding to the Consolidated Complaint

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on May 8, 2003, and then answering or otherwise responding to the Consolidated *Amended* Complaint shortly thereafter, the undersigned attorneys for the Lead Plaintiff and Defendants Lay, Skilling, Pai, Harrison, Buy, Causey, Hannon, McMahon, and Rice agree that those defendants may defer answering the present Consolidated Complaint and instead should answer or otherwise respond to the Consolidated Amended Complaint within thirty days of its filing.

The parties to this Motion believe that it would promote justice and efficiency, and accordingly they request that the Court enter the proposed Order attached to this Agreed Motion. In the event that the Court does not enter this proposed Order by May 8, 2003, the parties agree that these defendants have until May 28, 2003, to answer or otherwise respond to the Consolidated Complaint.

Respectfully submitted,



Helen J. Hodges

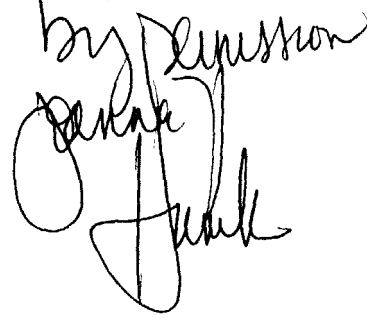
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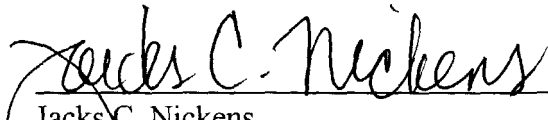
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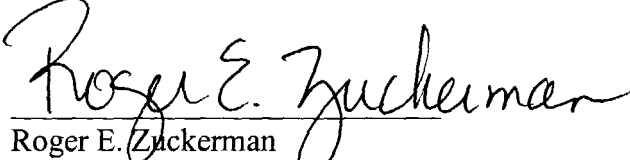
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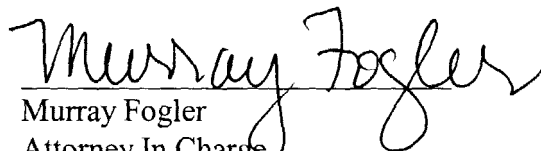
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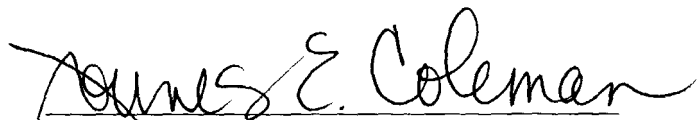
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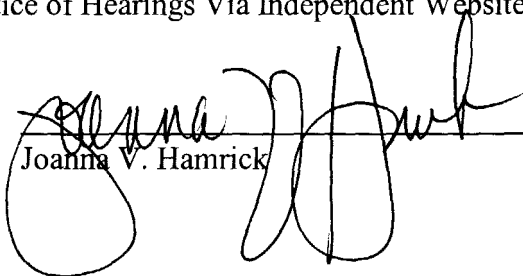
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the pleading was served on all counsel of record on the Service List on May 1, 2003 via posting to www.esl3624.com in compliance with the Court's Order Regarding Service of Papers and Notice of Hearings Via Independent Website.


Joanna V. Hamrick